

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

|                                 |   |  |
|---------------------------------|---|--|
| UNITED STATES OF AMERICA,       | ) | NO. CV 17-3890 MWF (RAOx)                    |
|                                 | ) |  |
| Plaintiff,                      | ) |  |
|                                 | ) | <b><u>CONSENT JUDGMENT OF FORFEITURE</u></b> |
| vs.                             | ) |  |
|                                 | ) |  |
| REAL PROPERTY LOCATED AT 120 S. | ) |  |
| HACIENDA BOULEVARD IN THE CITY  | ) |  |
| OF INDUSTRY, CALIFORNIA,        | ) |  |
|                                 | ) |  |
| Defendant.                      | ) |  |
|                                 | ) |  |
| CIIF INVESTMENT GROUP, LP,      | ) |  |
|                                 | ) |  |
| Titleholder.                    | ) |  |
|                                 | ) |  |
|                                 | ) |  |
|                                 | ) |  |

Plaintiff and claimant The Evergreen Advantage, LLC and potential claimant CIIF Investment Group, LP have made a stipulated request for the entry of this Consent Judgment, resolving this action in its entirety.

The Court, having considered the stipulation of the parties, and good cause appearing therefor, **HEREBY ORDERS ADJUDGES AND DECREES:**

1           1.     The government has given and published notice of this  
2 action as required by law, including Rule G of the Supplemental  
3 Rules for Admiralty or Maritime Claims and Asset Forfeiture  
4 Actions, Federal Rules of Civil Procedure, and the Local Rules  
5 of this Court. The Evergreen Advantage, LLC claims an interest  
6 in the defendant property and has filed a claim. Potential  
7 claimant CIIF Investment Group, LP claims an interest in the  
8 defendant property, but has not filed a claim in this case or  
9 answered the complaint. However, CIIF Investment Group, LP  
10 would have filed a claim and answer in this case absent this  
11 agreement. No other statements of interest or answers have been  
12 filed, and the time for filing such statements of interest and  
13 answers has expired. This Court has jurisdiction over the  
14 parties to this judgment and the defendant property. Any  
15 potential claimants to the defendant property other than The  
16 Evergreen Advantage, LLC and CIIF Investment Group, LP are  
17 deemed to have admitted the allegations of the complaint with  
18 respect to the defendant property.

19           2.     The United States of America shall have judgment as to  
20 the defendant property, and, other than those interests  
21 recognized herein, no other person or entity shall have any  
22 right, title or interest therein. The legal description of the  
23 defendant property, which property has Assessor Parcel Numbers  
24 8245-001-050 and 8245-001-051 and is more fully described as  
25 follows:

26           Parcel 1:

27           Parcel 2 of parcel Map No. 78, in the City of  
28           Industry, County of Los Angeles, State of California,

as per map filed in book 60 page 22 of parcel maps, in the office of the County Recorder of said county.

Parcel 2:

An easement for ingress and egress over those portions of parcels 1 and 3 of parcel map No. 78, in the City of Industry, County of Los Angeles, State of California, as per map filed in book 60 page 22 of parcel maps, in the office of the county recorder of said county, included within that certain area shown on said map as "24 feet easement of ingress and egress and roadway purposes per instrument No. 2712, recorded September 1, 1970 in book D-4820 page 14, official records, as granted to Community Bank of Huntington Park".

3. The United States is hereby authorized to remove any occupants and/or personal property remaining on the defendant property thirty days after the giving of written notice to any occupants of the defendant property without further order of this Court. The United States shall thereafter sell the property. The proceeds of sale shall be distributed in the following priority, to the extent proceeds are available:

- a. To the United States for its actual and reasonable costs and expenses of the sale;
- b. To the Los Angeles County Assessor and Tax Collector of all unpaid real property taxes assessed against the defendant property to the date of entry of the Judgment of Forfeiture;
- c. To Evergreen Advantage as follows:
  - i. All unpaid principal and interest due under the Note which is secured by the Deed of Trust recorded as Instrument No. 2016-0191016 against the defendant property

1 identifying Evergreen Advantage as  
2 beneficiary, as of the date of the closing  
3 with respect to Plaintiff's sale of the  
4 defendant property; and

5 ii. All other fees, costs and advances as  
6 provided under the terms of the Note and  
7 Deed of Trust, as of the date of the closing  
8 with respect to Plaintiff's sale of the  
9 Defendant Property. These fees, costs and  
10 advances include, but are not limited to,  
11 fees, advances or costs for property taxes,  
12 insurance (including for hazard insurance),  
13 reasonable attorney fees and costs and fees  
14 and costs incurred in protecting  
15 The Evergreen Advantage, LLC's security  
16 interest; and  
17

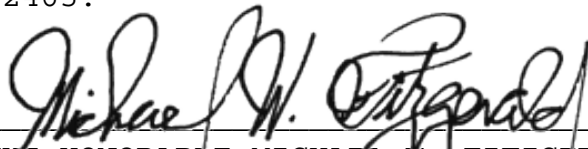
18 d. The balance shall be paid and forfeited to the  
19 United States of America, and such funds shall be  
20 disposed of according to law.

21 4. The Evergreen Advantage, LLC and CIIF Investment Group,  
22 LP have agreed to release the United States of America, its  
23 agencies, agents, and officers, including employees and agents  
24 of the Federal Bureau of Investigation, from any and all claims,  
25 actions or liabilities arising out of or related to this action,  
26 including, without limitation, any claim for attorneys' fees,  
27 costs or interest which may be asserted on behalf of potential  
28

1 claimants against the United States, whether pursuant to 28  
2 U.S.C. § 2465 or otherwise. The Evergreen Advantage, LLC and  
3 CIIF Investment Group, LP have also waived any rights they may  
4 have to seek remission or mitigation of the forfeiture. Nothing  
5 in this Consent Judgment is intended as, nor should anything in  
6 this Consent Judgment be interpreted as an admission by The  
7 Evergreen Advantage, LLC and CIIF Investment Group, LP of any  
8 liability or wrongdoing.

9         5. The court finds that there was reasonable cause for the  
10 institution of these proceedings pursuant to 28 U.S.C.  
11 § 2465. This judgment constitutes a certificate of reasonable  
12 cause pursuant to 28 U.S.C. § 2465.

13  
14 DATED: September 13, 2017

  
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THE HONORABLE MICHAEL W. FITZGERALD  
UNITED STATES DISTRICT JUDGE